

1 **RESNICK & LOUIS, P.C.**  
2 TROY A. CLARK, ESQ.  
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4 [tclark@rlattorneys.com](mailto:tclark@rlattorneys.com)  
Telephone: (702) 997-3800  
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*Attorneys for Defendant,*  
6 *ACUITY, A Mutual Insurance*  
*Company*

7  
8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 KEVIN VENABLE, individually,  
11 Plaintiff,

12 v.

13 ACUITY, A MUTUAL INSURANCE  
14 COMPANY; DOES I through X: and ROE  
CORPORATIONS I through X, inclusive;  
15 Defendants.

CASE NO.: 2:22-cv-00619-RFB-BNW

**STIPULATION FOR DISMISSAL**

16 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties respectfully  
17 request that the Court dismiss this action with prejudice. There are no counterclaims, cross-  
18 claims, or third-party claims pending in this civil action. The parties agree that should the Court

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1 approve this stipulation, each side shall bear its own attorney's fees and costs.

2  
3 DATED this 12<sup>th</sup> day of August, 2022.

4 **RESNICK & LOUIS, P.C.**

5 */s/ Troy A. Clark*

6 TROY A. CLARK, ESQ.  
7 Nevada Bar No. 11361  
8 8925 West Russell Road, Suite 220  
9 Las Vegas, NV 89148  
Attorneys for Defendant

DATED this 11<sup>th</sup> day of August, 2022

**MOSS BERG INJURY LAWYERS**


*/s/ Marcus A. Berg*

Marcus A. Berg, Esq.  
Nevada Bar No. 9970  
John C. Funk, Esq.  
Nevada Bar No. 9255  
4101 Meadows Lane, Suite 110  
Las Vegas, NV 89107  
Attorneys for Plaintiff

10 **ORDER**

11  
12 The Court having reviewed the joint stipulation for dismissal filed pursuant to Federal  
13 Rule of Civil Procedure 41(a)(1)(A)(ii), it is hereby ordered that the stipulation is approved.  
14 This civil action is hereby dismissed, with prejudice. Each party to bear its own attorney's fees  
15 and costs.

16 Dated: August 15, 2022.

17   
18 **RICHARD E. BOULWARE, II**  
19 **United States District Court**  
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**From:** [Tonya Baltazar](#)  
**To:** [Troy Clark](#); [Marcus Berg](#)  
**Cc:** [Shyanne Jackson](#)  
**Subject:** RE: Venable v. Acuity  
**Date:** Thursday, August 11, 2022 3:59:33 PM  
**Attachments:** [image001.png](#)

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You can e-sign for Marcus.

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**From:** Troy Clark <[tclark@rlattorneys.com](mailto:tclark@rlattorneys.com)>  
**Sent:** Thursday, August 11, 2022 3:53 PM  
**To:** Tonya Baltazar <[Tonya@mossberglv.com](mailto:Tonya@mossberglv.com)>; Marcus Berg <[Marcus@mossberglv.com](mailto:Marcus@mossberglv.com)>  
**Cc:** Shyanne Jackson <[sjackson@rlattorneys.com](mailto:sjackson@rlattorneys.com)>  
**Subject:** RE: Venable v. Acuity

It doesn't look like we have the signed stipulation for dismissal. Can you either (1) send it over, or (2) give us authority to use your e signature?

Thanks,

Troy

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**From:** Tonya Baltazar <[Tonya@mossberglv.com](mailto:Tonya@mossberglv.com)>  
**Sent:** Monday, July 25, 2022 1:29 PM  
**To:** Troy Clark <[tclark@rlattorneys.com](mailto:tclark@rlattorneys.com)>; Marcus Berg <[Marcus@mossberglv.com](mailto:Marcus@mossberglv.com)>  
**Cc:** Shyanne Jackson <[sjackson@rlattorneys.com](mailto:sjackson@rlattorneys.com)>  
**Subject:** RE: Venable v. Acuity

Here you go, I would like to send my runner this afternoon.

---

**From:** Troy Clark <[tclark@rlattorneys.com](mailto:tclark@rlattorneys.com)>  
**Sent:** Monday, July 25, 2022 1:25 PM  
**To:** Tonya Baltazar <[Tonya@mossberglv.com](mailto:Tonya@mossberglv.com)>; Marcus Berg <[Marcus@mossberglv.com](mailto:Marcus@mossberglv.com)>  
**Cc:** Shyanne Jackson <[sjackson@rlattorneys.com](mailto:sjackson@rlattorneys.com)>  
**Subject:** RE: Venable v. Acuity

We got the check. If you want to send copies of the signed documents in advance, we can do a simple pick up. If we need to do a formal exchange, let me know and I'll try to figure out when I'm in the office.

Thanks,

Troy

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**From:** Tonya Baltazar <[Tonya@mossberglv.com](mailto:Tonya@mossberglv.com)>  
**Sent:** Monday, July 18, 2022 10:18 AM

**To:** Troy Clark <[tclark@rlattorneys.com](mailto:tclark@rlattorneys.com)>; Marcus Berg <[Marcus@mossberglv.com](mailto:Marcus@mossberglv.com)>  
**Cc:** Shyanne Jackson <[sjackson@rlattorneys.com](mailto:sjackson@rlattorneys.com)>  
**Subject:** RE: Venable v. Acuity

Hi Troy

I have the signed settlement documents, please let me know when you get the check.

Thanks

---

**From:** Troy Clark <[tclark@rlattorneys.com](mailto:tclark@rlattorneys.com)>  
**Sent:** Tuesday, July 12, 2022 11:55 AM  
**To:** Tonya Baltazar <[Tonya@mossberglv.com](mailto:Tonya@mossberglv.com)>; Marcus Berg <[Marcus@mossberglv.com](mailto:Marcus@mossberglv.com)>  
**Cc:** Shyanne Jackson <[sjackson@rlattorneys.com](mailto:sjackson@rlattorneys.com)>; John Funk <[John@mossberglv.com](mailto:John@mossberglv.com)>  
**Subject:** RE: Venable v. Acuity

Please find attached.

Please let me know if you have any questions.

Respectfully,

Troy Clark

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**From:** Tonya Baltazar <[Tonya@mossberglv.com](mailto:Tonya@mossberglv.com)>  
**Sent:** Tuesday, July 12, 2022 9:57 AM  
**To:** Troy Clark <[tclark@rlattorneys.com](mailto:tclark@rlattorneys.com)>; Marcus Berg <[Marcus@mossberglv.com](mailto:Marcus@mossberglv.com)>  
**Cc:** Shyanne Jackson <[sjackson@rlattorneys.com](mailto:sjackson@rlattorneys.com)>; John Funk <[John@mossberglv.com](mailto:John@mossberglv.com)>  
**Subject:** RE: Venable v. Acuity

Hi Troy do you have the settlement docs ready on this one?

Thanks

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**From:** Tonya Baltazar  
**Sent:** Thursday, July 7, 2022 8:20 AM  
**To:** 'Troy Clark' <[tclark@rlattorneys.com](mailto:tclark@rlattorneys.com)>; Marcus Berg <[Marcus@mossberglv.com](mailto:Marcus@mossberglv.com)>  
**Cc:** Shyanne Jackson <[sjackson@rlattorneys.com](mailto:sjackson@rlattorneys.com)>; John Funk <[John@mossberglv.com](mailto:John@mossberglv.com)>  
**Subject:** RE: Venable v. Acuity

Please issue payment to Moss Berg Injury Lawyers and Kevin Venable. I have attached a copy of our w-9 for your benefit. Please forward us the settlement documents for signature.

Thank you,